

REMARKS

Claims 1-8 have been rejected under 35 U.S.C. §112, ¶2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention, and for omitting essential elements.

These claims have been amended in consideration of the Examiner's comments to incorporate operational structural recitations, including the modules highlighted by the Examiner, and as amended are now submitted to define the invention with sufficient particularity and distinctiveness to be patentable to Applicants.

Claims 1, 2, 4, 6-8 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Park et al (IDS 9/6/2006, Cite No. C41), and also by Winter et al (IDS 9/6/2006 Cite No. C53), and also by Kato et al (IDS 12/3/2003, Cite No. 1). These rejections are respectfully traversed with respect to these claims as amended herein.

The independent claims 1, 8 variously recite "obtaining an actual point of application of the ground reaction force by a module for estimating a point of application of a ground reaction force, based on the position of the center of gravity of the whole body, positions of ankle joints and positions of joints at front ends of feet under normal condition and based on positions of the joints at front ends of feet when going up or down stairs or going uphill or downhill, wherein it is determined based on positions of the ankle joints while the both legs are in contact

with the ground whether the system is under normal condition or going up or down stairs or going uphill or downhill, the module for estimating a point of application of ground reaction force being connected to the leg-attitude computing module and the body center of gravity location computing module.”

These aspects of the claimed invention are not disclosed by the cited references which are understood merely to disclose, at best, determining an actual point of application of the ground reaction force by estimate calculations. There is thus no disclosure here of determining an actual point of application of the ground reaction force in any manner resembling Applicants’ claimed invention. It is therefore respectfully submitted that claims 1, 2, 4, 6-8 as amended herein are not anticipated by, but instead are now patentably distinguishable over, the cited references.

The Examiner’s assumption is correct that the subject matter of the claims was commonly owned at the time of the invention.

Claims 3 and 5 have been rejected under 35 U.S.C. § 103(a) as being patentable over Park et al in view of Tagami et al ‘433, and over Winter et al in view of Tagami ‘433, and over Kato et al in view of Tagami ‘433. These rejections are respectfully traversed with respect to these dependent claims as amended herein.

Specifically, these claims are further limited over claim 1 by the additional recitation of “a foot switch is included in the leg-motion determining module,” or “the point (of application of the ground reaction force) is obtained further using information from a sensor.” These aspects of the claimed invention are submitted not to be disclosed or even suggested by the cited references considered either alone or in the combination proposed by the Examiner.

Specifically, these claims as amended herein recite the operational conditions by which the point of application of the ground reaction force is determined, and these aspects of the claimed invention are not disclosed in Park et al or Winter et al or Kato et al which are understood to make such determination by estimate calculations. And, Tagami et al ‘433 is understood to rely upon 6-dimensional force and torque sensor 44 for detecting a ground reaction force applied to a foot. Thus, merely combining these references is submitted not to establish sufficient basis from which a person of ordinary skill in the art at the time of the invention could reconstruct or modify the references to yield Applicants’ claimed invention. It is therefore respectfully submitted that dependent claims 3 and 5 as amended herein are now patentably distinguishable over the cited art.

Entry of this amendment, which is submitted to condition this application for allowance, is respectfully requested. In the event the Examiner decides to continue

rejection of claims, it is requested that this amendment be entered in order to clarify the issues for appeal.

Favorable reconsideration is solicited.

Respectfully submitted,
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